

REMARKS

The Applicant does not believe that examination of this amendment will result in the introduction of new matter into the present application for invention.

Therefore, the Applicant, respectfully, requests that the response contained herein be entered in and that the claims to the present application be, kindly, reconsidered.

The Advisory Action dated April 27, 2005 has been received and considered by the Applicant. Claims 1-20 are pending in the present application for invention. The rejection of Claims 1-20 by the February 22, 2005 Final Office Action is affirmed by the Advisory Action dated April 27, 2005.

The Final Office Action rejected Claims 1-12, and 17-20 under the provisions of 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,539,354 issued to Sutton et al. (hereinafter referred to as Sutton, et al.), in view of U.S. Patent No. 6,232,966 issued to Kurlander (hereinafter referred to as Kurlander). The foregoing amendment to the claims has modified the rejected claims to clearly define subject matter for the facial movements to be performed such that they correspond to the received word strings using the displayable animated face image corresponding to the received emoticon strings. This subject matter is not disclosed or suggested by the cited references Sutton, et al. or Kurlander, either alone or in combination.

Sutton et al. teach a visual and synthetic speech animation resulting in the generation of facial movements based upon the input of text at col. 20, lines 47-52. The Applicants, respectfully, point out that Col. 20, lines 47-56 of Sutton et al. teach visual synthetic speech as described in the text to speech conversion process 1B. The text to speech conversion process 1B is described beginning on col. 16, line 50 and proceeds through col. 17, line 17. The text to speech conversion process 1B uses visemes that are associated with phonemes. The Applicants, respectfully, assert that is not possible to associate emoticons with phonemes as taught by Sutton et al. A phoneme is a sound that can be associated with normal text. Emoticons do not break down into ordinary text and, therefore, can not be converted into phonemes by the text to speech conversion process 1B of Sutton et al. There is no vehicle taught or suggested by Sutton et al. that make it possible to process emoticons.

The Examiner asserts that Kurlander teaches the use of emoticons as a shorthand means for the generation of facial emotion. The Applicants, respectfully, assert that the foregoing The Examiner has not indicated how the system of Sutton et al. can be modified to

accommodate the emoticons taught by with Kurlander.

It is not possible to implement emoticons taught by Kurlander on the system and method taught by Sutton et al. Kurlander teaches association of emoticons that generate facial characteristics. There is no disclosure or suggestion within Kurlander for emoticons to be used for a basis from which facial movements can be generated.

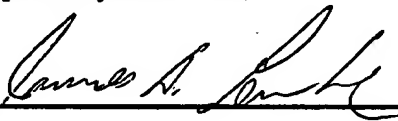
Accordingly, the rejection is believed to be moot in view of the foregoing discussed amendment.

The Advisory Action affirms the rejection to Claims 13-16 made by the Final Office Action under the provisions of 35 U.S.C. §103(a) as being unpatentable over Sutton et al. in view of Kurlander and further in view of U.S. Patent No. 5,963,217 issued to Grayson, et al. (hereinafter referred to as Grayson, et al.). The rejection contends that Grayson et al. disclose an electronic conferencing system over a computer network to import, export and translate text audio data into audible speech. The Applicant respectfully points out that, as previously discussed, the combination of Sutton et al. with Kurlander is inoperative to produce facial movements in response to emoticons. Grayson et al. do provide any mechanism that could be considered as a bridge to the gap that exists in the combination of Sutton et al. with Kurlander. As previously discussed, there is no disclosure, or suggestion, within the cited references that allow for using "emoticon strings" as a basis from which to generate facial movements. The system of Sutton et al. does not provide any mechanism whereby facial movements can incorporate a facial expression from emoticon strings. Therefore, this rejection is believed to be moot in view of the foregoing amendment to the claims.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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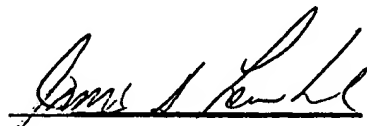
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on: May 23, 2005

(Mailing Date)

Signature:



Person Signing: James D. Leimbach